



Rhett O. Millsaps II | rhett@lex-lumina.com | 646.535.1137

April 8, 2025

VIA ECF

The Honorable Denise L. Cote
United States District Court
500 Pearl Street, Room 1910
New York, NY 10007

Re: *American Federation of Government Employees, AFL-CIO, et al v. U.S. Office of Personnel Management, et al., 25-cv-1237-DLC*

Dear Judge Cote:

Pursuant to the Court's April 3, 2025, Order (ECF No. 73), the parties write jointly regarding a proposed schedule for further proceedings in this matter.

Defendants have informed Plaintiffs that they are preparing to produce records regarding the training of various individuals to supplement the administrative record. Based on the scope of the forthcoming supplemental production according to Defendants' counsel, Plaintiffs believe that they will be ready to go ahead with briefing on their motion for preliminary injunction soon after the production is made. The parties have agreed to the following briefing schedule: Defendants to produce the supplemental administrative record materials by April 18, 2025; Plaintiffs to file their motion for a preliminary injunction by April 25; Defendants to file their response by May 16; Plaintiffs to file their reply by May 23.

If Defendants' supplemental administrative record production exceeds the scope of what Defendants' counsel has described to Plaintiffs' counsel, however, then Plaintiffs might instead choose to renew their motion for expedited discovery. ECF Nos. 51, 57. If that is the case, then the parties have agreed on the following briefing schedule: Plaintiffs to file their renewed motion for expedited discovery by April 25; Defendants to file their response by May 2; Plaintiffs to file their reply by May 7. The parties would then later propose a briefing schedule for Plaintiffs' motion for preliminary injunction based on the Court's decision regarding a schedule for expedited discovery (if any).

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ David E. Farber

Assistant U.S. Attorney for the
Southern District of New York

Counsel for Defendants

/s/ Rhett O. Millsaps II

Counsel for Plaintiffs